

[PROPOSED] ORDER

¹ The Multi-Drug Complaints are: Direct Purchaser Plaintiffs’ Amended Class Action Compl., No. 18-cv-2641, Dkt. No. 12 (“DPP ACAC”); End Payer Class Action Compl., No. 18-cv-2401, Dkt. No. 2 (“EPP CAC”); Indirect Reseller Plaintiffs’ Amended Class Action Compl., No. 18-cv-2533, Dkt. No. 4 (“IRP ACAC”); The Kroger Plaintiffs’ Amended Compl., No. 18-cv-284, Dkt. No. 36 (“Kroger AC”); The Marion Plaintiffs’ First Amended Compl., No. 18-cv-4137, Dkt. No. 23 (“Marion AC”); Humana, Inc.’s Amended Compl., No. 18-cv-3299, Dkt. No. 30 (“Humana AC”); and Plaintiff States’ Consolidated Amended Compl., No. 17-cv-3768, Dkt. No. 15 (“States’ CAC”).

12(b)(6), and any responses thereto, it is **ORDERED** that Glenmark's Motion to Dismiss is

GRANTED and the following claims are **DISMISSED WITH PREJUDICE** as to Glenmark:

- DPP ACAC, Count 1 (overarching Sherman Act, Sections 1 and 3 claim);
- EPP CAC, Count 1 (overarching Sherman Act, Sections 1 and 3 claim);
- IRP ACAC, Count 1 (overarching Sherman Act, Sections 1 and 3 claim);
- Kroger AC, Count 1 (overarching Sherman Act, Section 1 claim);
- Kroger AC, Count 15 (individual Sherman Act, Section 1 claim (Fosinopril-HCTZ));
- Kroger AC, Count 27 (individual Sherman Act, Section 1 claim (Pravastatin));
- Marion AC, Count 1 (overarching Sherman Act, Section 1 claim);
- Humana AC, Count 106 (overarching Sherman Act, Section 1 claim);
- Humana AC, Count 110 (overarching Clayton Act, Section 16 claim for violations of Sherman Act, Sections 1 and 2); and
- States' CAC, Counts 1-5, 7-18 (overarching Sherman Act, Section 1 claims (Nimodipine, Zoledronic Acid, Meprobamate, Doxycycline DR, Doxycycline Mono, Acetazolamide, Fosinopril-HCTZ, Glipizide-Metformin, Glyburide, Glyburide-Metformin, Leflunomide, Nystatin, Paromomycin, Theophylline, and Verapamil)).

BY THE COURT:

CYNTHIA M. RUFE
United States District Judge